

**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
OFFICE OF CONSERVATION AND COASTAL LANDS  
Honolulu, Hawaii**

180-Day Exp. Date: July 21, 2008  
CDUA OA-3451

June 27, 2008

**Board of Land and  
Natural Resources  
State of Hawaii  
Honolulu, Hawaii**

**REGARDING:** Proposed installation of five new utility poles in a new alignment

**APPLICANT:** Hawaiian Telcom, Inc., 1177 Bishop Street, Honolulu, HI 96841

**AGENT:** Sandra U Padaken, 155 Anela Street, Hilo, HI 96720

**LANDOWNER:** James Campbell Company LLC

**LOCATION:** Palehua, Mauana Kapu, Hono`uli`uli, `Ewa District, O`ahu

**TMK:** (1) 9-2-05:13

**AREA OF USE:** 25 square feet; 2400-foot linear alignment

**SUBZONE:** Resource

**DESCRIPTION OF AREA AND CURRENT USE**

The proposed project site lies above Makakilo along Palehua Road, in the Hono`uli`uli Land Division, `Ewa District, O`ahu. The site is in the Resource Subzone of the State Land Use Conservation District. **Exhibit 1** shows the project area.

The area is gated, and not accessible to the general public. There are approximately 39 structures on the 4969-acre parcel, with the majority being telecommunications infrastructure. There are also a small number of residences along the road.

The project area is also the site of the US Army's underground Joint Trunk System (JTS), which was built during World War II and is no longer being maintained by the military. The joint aerial component to the system was installed in 1944, 1952, and 1957.

The project area is dominated by tall trees, including silk oak (*Grevillea robusta*), Cook pine (*Araucaria ssp.*), and eucalyptus (*Eucalyptus ssp.*). There is also some 'ōhi'a lehua (*Metrosideros polymorpha*) in the area. The nearby Hono'uli'uli Forest Reserve is designated as critical habitat for the O'ahu 'elepaio (*Chasiempis sandwichensis ibidis*). **Exhibit 2** shows vegetation at the site.

## PROPOSED USE

The applicant proposes to install four new 30' high poles, 2400 feet of cable, and ten anchor guy wires in a new alignment that deviates from the existing pole line along Palehua Road. The applicant also proposes to install one intermediary pole on the existing alignment.

**Exhibit 3** shows a pole. **Exhibits 4 and 5** show the existing and proposed alignments.

There are currently eighteen Conservation District Use Permits for telecommunications projects on the parcel, as well as a number of both civilian and military non-conforming telecommunication units. This proposal will tie into these non-conforming systems.

The existing aerial pole line was constructed between 1944 and 1952. It starts at 'Umena Street above Makakilo and terminates at the Mauna Kapu Radio Station at the end of Palehua Road. Hawai'i Telcom also uses portions of the US Army Joint Trunking System (JTS) that is directly buried under the project area. The JTS system is owned by the military, though it is not being maintained.

If this proposal is accepted and the project completed then Hawai'i Telcom will no longer utilize the old JTS system.

The applicant states that there would be significant safety hazards in laying new telecommunications cables along the existing aerial alignment. In particular, laying the wires below the energized electrical lines at the current ravine crossing would pose a risk of electrocution. The applicant chose to apply for a new alignment to avoid these safety concerns.

Access to the project area will be along Palehua Road; there will be no road repairs or new roads built.

Hawai'i Telcom has received approval from the Division of Forestry and Wildlife for their Fire Contingency Plan, as shown in **Figure 6**.

## CONSTRUCTION

Materials will be trucked to the site via Palehua Road. Each new pole site will require the excavation of a 6-foot deep, 10.2-inch diameter hole. Each anchor site will require the excavation of a 3-foot diameter hole to a depth of 8 to 10 feet.

Augurs and drills driven by air compressors will be used to drill the holes. Some blasting might be necessary.

In order to get the pulling rope and cable through the structures on top of the poles Hawaiian Telcom will use one of three approaches: 1) use aerial lift trucks if road conditions permit; 2) walk between the poles where conditions permit; or 3) use fiberglass telescoping poles to carry the rope over other areas.

Once installation is complete any trees that would interfere with the cable will be trimmed.

The State Historic Preservation is requiring an inventory survey prior to any excavation. Work will only commence once an area has been cleared by a State Historic Preservation Officer.

The applicant proposes to start construction in July and to finish in September

#### **SUMMARY OF COMMENTS**

The application was referred to the following agencies for their review and comment - The Department of Land and Natural Resources Divisions of: Conservation & Resource Enforcement, Forestry & Wildlife, Oahu District Land, Engineering, and Historic Preservation; Department of Accounting and General Services-Information Communication Services Division; the Department of Health; the Office of Hawaiian Affairs; the Office of Environmental Quality Control; the City: Department of Planning and Permitting and the Makakilo/Kapolei/Honokai Hale Neighborhood Board.

In addition, this CDUA was sent to the 'Ewa Beach Public Library for public review.

Comments were received by the following and summarized by Staff as follows:

#### **DEPARTMENT OF LAND AND NATURAL RESOURCES**

##### **Division of Conservation and Resource Management**

Review seems straight forward, and DOCARE does not foresee any problems.

##### **Division of Forestry and Wildlife**

New overhead lines should either use the existing JTS system or be buried. Overhead power lines should be phased out.

##### ***Applicant's Response***

*As stated in the application, the JTS system is not being maintained. The project is not an extension of the system, but rather a change in alignment, and so should use the same technology as the existing system.*

**Land Division**

No comments

**Department of Accounting and General Services**

No comments.

**Engineering Division**

The Division confirms that the project is located in Flood Insurance Rate Map Zone D, and in seawater. The Flood Insurance Program has no special regulations for developments in Zone D.

OFFICE OF HAWAIIAN AFFAIRS (OHA)

OHA appreciates that Hawaiian Telcom has agreed to not start work until an inventory survey is completed. OHA is also comforted knowing that the applicant will cease work should iwi kūpuna or Native Hawaiian cultural or traditional deposits be found.

**ANALYSIS**

After reviewing the application, the applicant was notified by letter, dated January 28, 2008, that the Department found that:

1. The proposed use was an identified land use in the Resource subzone of the Conservation District, pursuant to Hawai'i Administrative Rules (HAR) §13-5-22, P-6, PUBLIC PURPOSE USES, D-2, *Transportation systems, transmission facilities for public utilities, water systems, etc., which are undertaken by non-governmental entities which benefit the public and are consistent with the purpose of the conservation district.* The final authority to grant or deny the permit rests with the Board of Land and Natural Resources (BLNR).
2. Pursuant to HAR §13-5-40, a Public Hearing was not be required;
3. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and HAR Title 11, Department of Health, Chapter 200, Environmental Impact Statement Rules, Subchapter 5, §11-200-8, the proposed use was exempt.

Notice of CDUA OA-3451 was published in the February 8, 2008 issue of the *Environmental Notice*.

**CONSERVATION CRITERIA**

The following discussion evaluates the merits of the proposed land use by applying the criteria established in HAR §13-5-30.

1. *The proposed land use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect and preserve the important natural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare.

The project is considered an identified land use in the subject area of the Conservation District; as such, it is subject to the regulatory process established in Chapter 183C, HRS and detailed further in Chapter 13-5, HAR. This process provides for the application of appropriate management tools to protect the relevant resources, including objective analysis and thoughtful decision-making by the Department and Board of Land and Natural Resources.

Staff believes the proposal is consistent with the purpose of the Conservation District as the proposal is within a previously disturbed area. The deviation from the existing line is minor, and staff notes that an archaeological survey will be done prior to any ground disturbance.

2. *The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur.*

The objective of the Resource subzone is to develop, with proper management, areas to ensure sustained use of the natural resources of those areas. The proposed use is an identified land use in the Resource subzone of the Conservation District, pursuant to HAR §13-5-22, P-6 PUBLIC PURPOSE USES.

Staff believes the proper management and use of the easement shall sustain the natural resources of the project area.

3. *The proposed land use complies with provisions and guidelines contained in Chapter 205, HRS, entitled Coastal Zone Management, where applicable.*

The proposed project is not near the shoreline.

4. *The proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community, or region.*

Staff believes the proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community or region. The proposed land use does not change the existing use of the area.

5. *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding area, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

The proposed use is similar to other existing uses on the parcel.

6. *The existing physical and environmental aspect of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, which ever is applicable.*

The project area will not be visible from any residential or public recreation areas.

7. *Subdivision of the land will not be utilized to increase the intensity of land uses in the Conservation District.*

There will be no subdivision of land for this proposed project.

8. *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

Staff believes the proposed project will not be materially detrimental to the public health, safety and welfare.

## DISCUSSION

Hawaiian Telcom proposes to place four poles in a new 2400-foot long alignment in Conservation District lands above Makakilo. They also propose to add a new intermediary pole in an existing alignment.

The area hosts a number of telecommunication systems. Hawaiian Telcom currently uses a mix of aerial lines and the World War II-era buried JTS system. The JTS system is not currently being maintained by the military.

Hawaiian Telcom has determined that placing the new cable on the existing aerial network would be hazardous; hence the need for a new alignment on this section of the network.

OCCL staff visited the site as part their assessment. Staff found that the area was dominated by invasive trees and grasses, and that it was not visible from any residential or public recreation areas. Palehua Road itself is gated.

Staff does not foresee the project having any significant environmental or cultural impacts.

However, staff notes that some of the new poles will be placed in gullies that are off the main road. As there might be undiscovered cultural artifacts in these areas, OCCL agrees with the need to have any area 'cleared' by a State Historic Preservation Officer prior to any ground disturbance. OCCL will recommend that this be made a condition of the permit.

OCCL will also recommend that the Fire Contingency Plan (**Exhibit 6**), which was approved by DOFAW in 2004, will be made a condition of the permit.

**RECOMMENDATION:**

Based on the preceding analysis, Staff recommends that the Board of Land and Natural Resources APPROVE this Conservation District Use Application (CDUA) OA-3451 for the Realignment of the Telecommunications Utility Pole Line at Palehua, Mauna Kapu, Hon'uli'uli, 'Ewa District, Island of O'ahu, portion of TMK: (1) 9-2-005:013 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State, and County governments, and applicable parts of the Hawaii Administrative Rules, Chapter 13-5;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall comply with all applicable Department of Health administrative rules;
4. Before proceeding with any work authorized by the Board, the applicant shall submit four (4) copies of the construction and grading plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not constitute approval required from other agencies;
5. Any work done or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the Chairperson, and, unless otherwise authorized, shall be completed within three (3) years of the approval. The applicant shall notify the Department in writing when construction activity is initiated and when it is completed;
6. All mitigation measures set forth in the application materials are incorporated as conditions of the permit;
7. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;

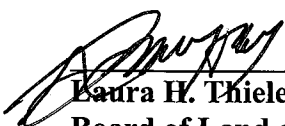
8. In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
9. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
10. The applicant shall notify the Office of Conservation and Coastal Lands (OCCL) in writing at least one week prior to the initiation of work within the Conservation District and the cable installation, and upon completion of the project;
11. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
12. No ground disturbance will occur until a site has been cleared by a State Historic Preservation Officer;
13. The applicant will follow the 2004 *Fire Contingency Plan for Verizon Hawai'i Inc. Copper Cable Replacement Project in Campbell Estate Lands*;;
14. Other terms and conditions as may be prescribed by the Chairperson; and
15. Failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Respectfully submitted,



Michael Cain, Staff Planner  
Office of Conservation and Coastal Lands

Approved for submittal:



Laura H. Thielen, Chairperson  
Board of Land and Natural Resources



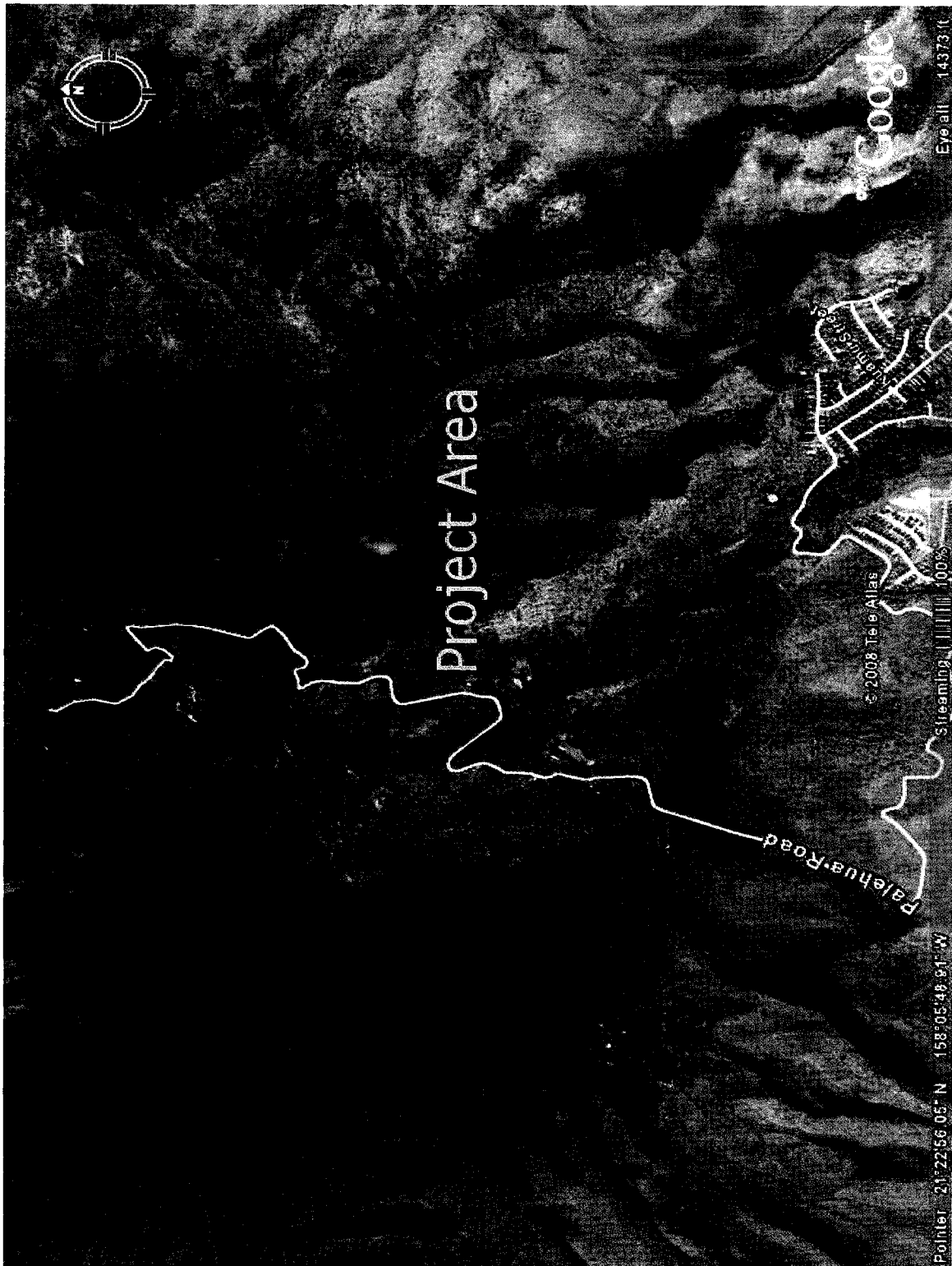


EXHIBIT I

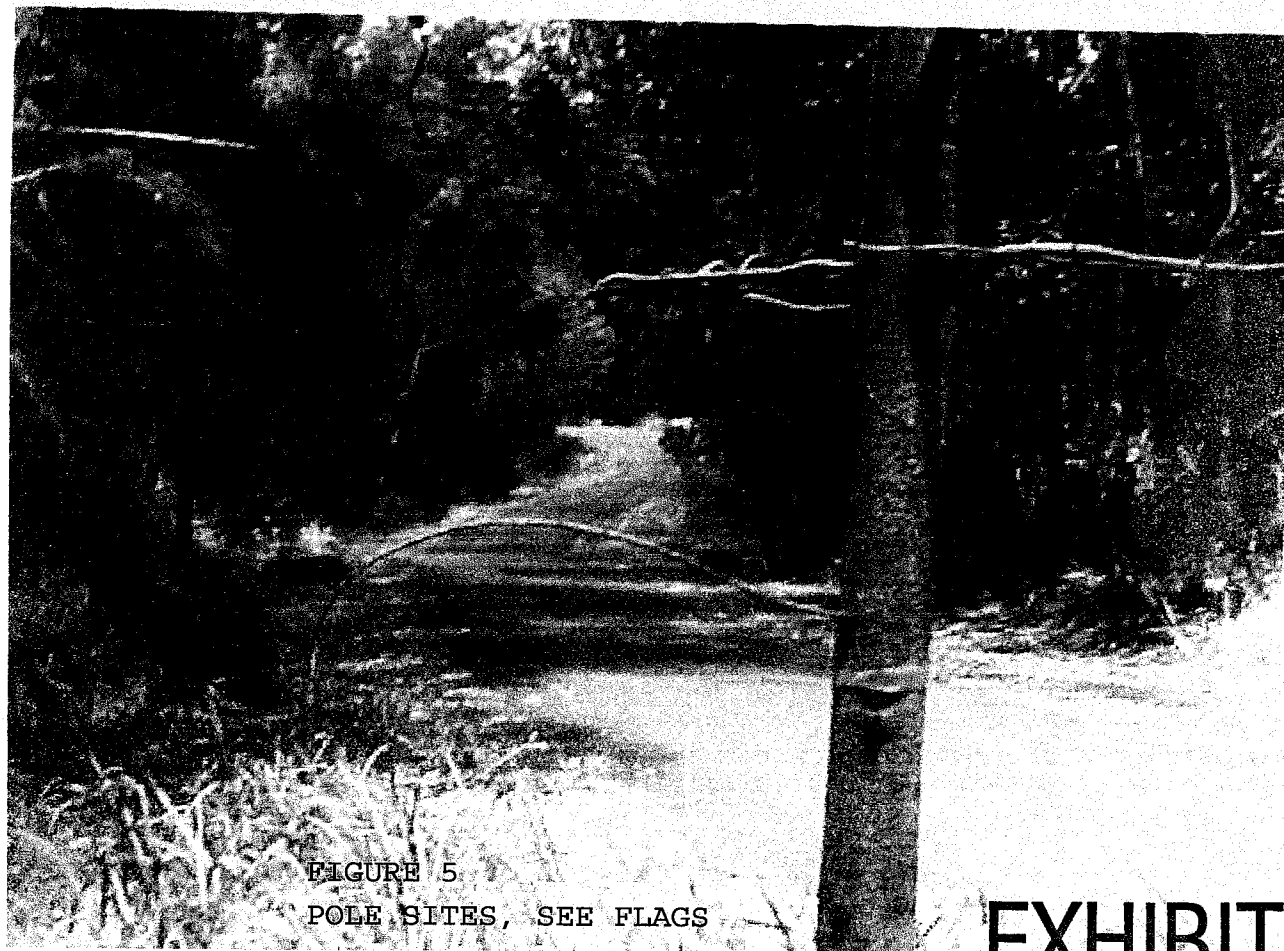


FIGURE 5  
POLE SITES, SEE FLAGS

EXHIBIT 2

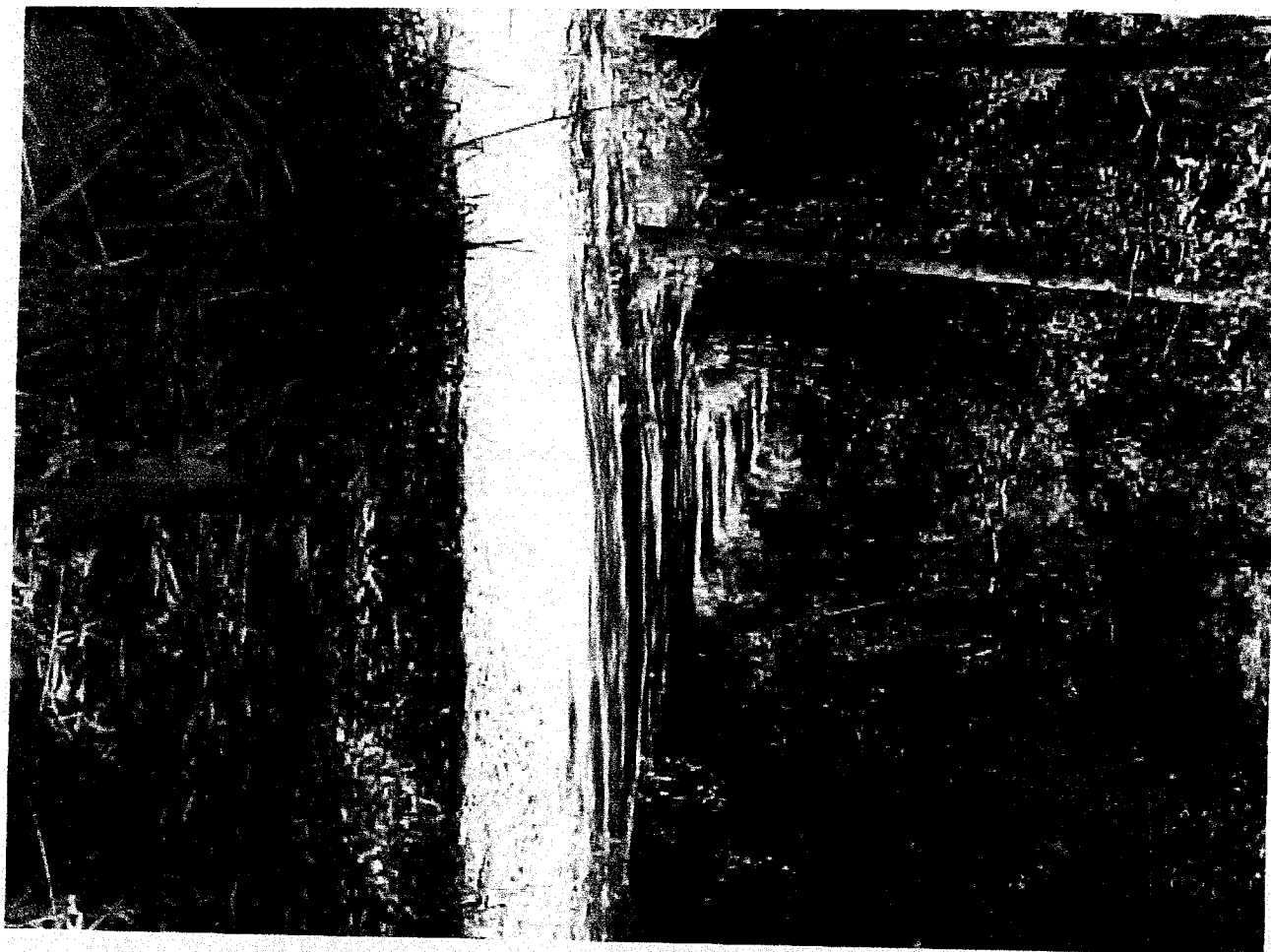
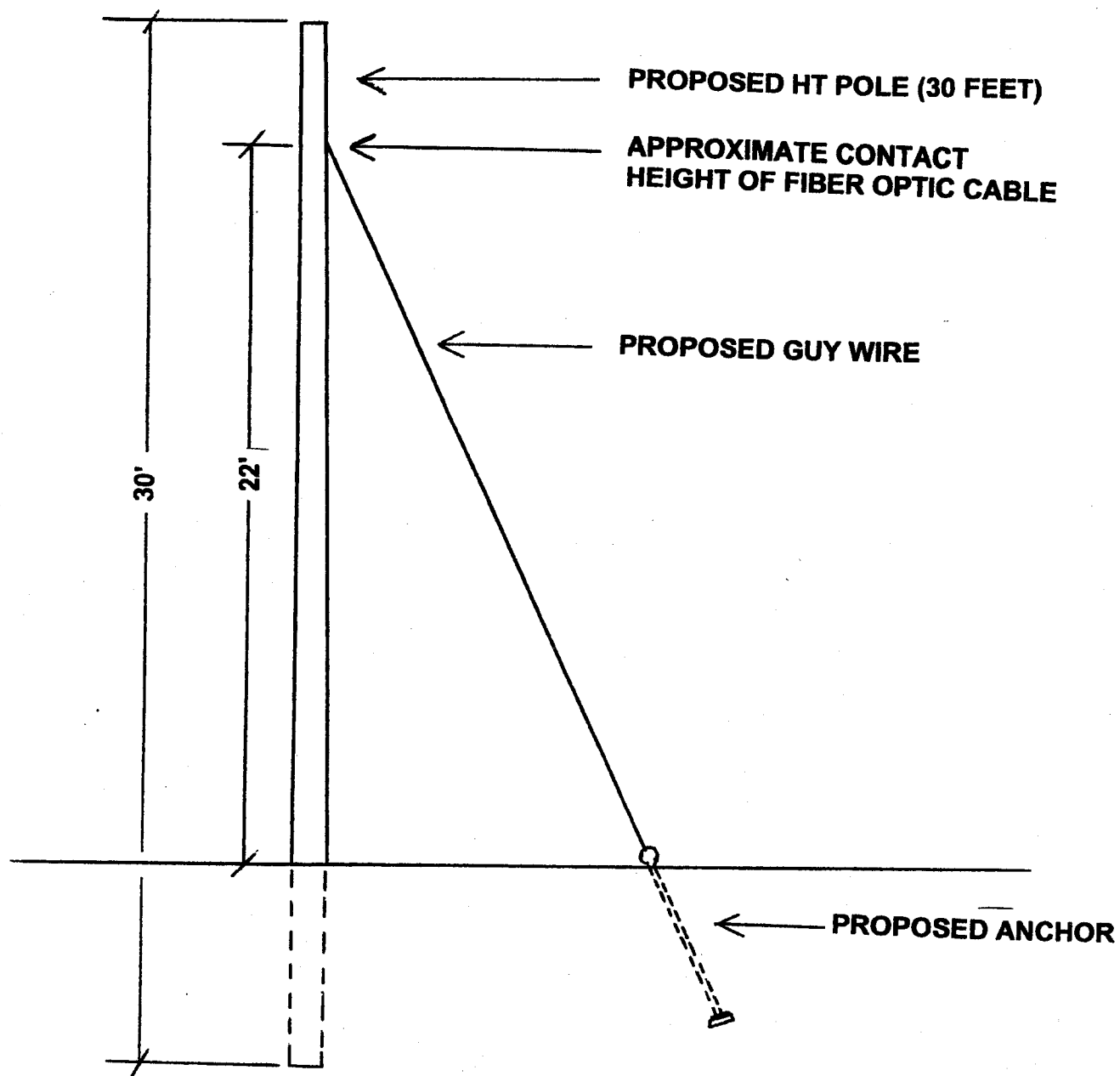


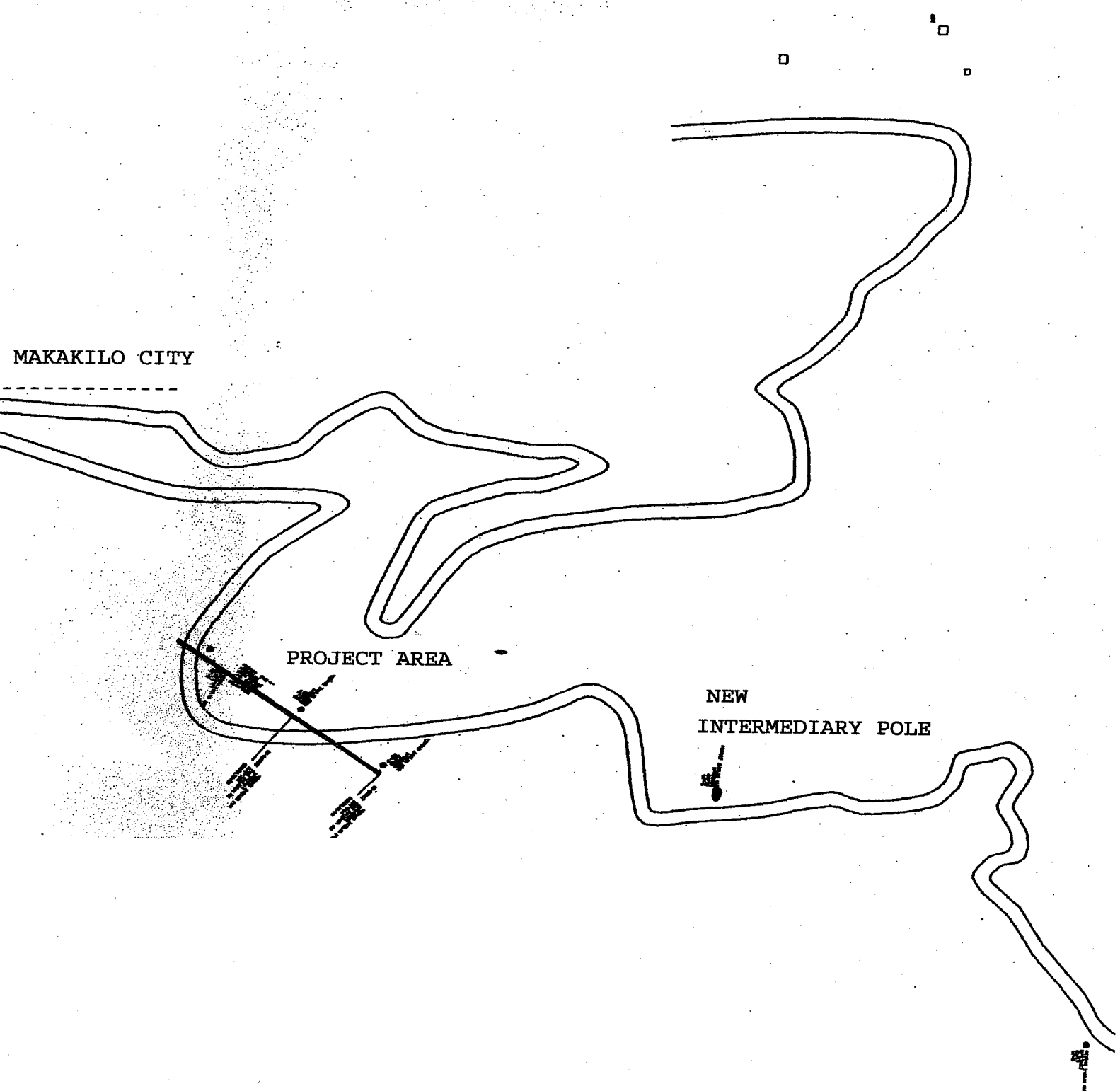
FIGURE 5

POLE SITES, SEE RED FILM



**TYPICAL HAWAIIAN TELCOM POLE/ANCHOR DIAGRAM**





SHEET TWO

EXHIBIT 5

**FIRE CONTINGENCY PLAN FOR VERIZON HAWAII INC.  
FOR COPPER CABLE REPLACEMENT PROJECT IN CAMPBELL ESTATE LANDS,  
CONSERVATION DISTRICT PROTECTIVE SUBZONE,  
TAX MAP KEY 1-9-2-3:13, MAUNA KAPU-PALEHUA, EWA, HAWAII**

**I. OWNER:** Land Owners: Campbell Estates

Use: Verizon Hawaii Inc., Proposed Copper Cable System Installation  
On existing HECO – Verizon joint utility pole line.

**ADDRESS:** Verizon Hawaii Inc.

Attention: Lyn Ing ABY 2

P. O. BOX 2200, Honolulu, Hawaii 96809

Telephone: 808-840-5830

Prepared by:

Sandy Padaken, TESINC

17 258 A Palaai Street, Keaau, Hawaii 96749

**II. LOCATION:**

Island: Mauna Kapu-Palehua, Ewa, Hawaii (see attached map)

Tax Map Key: 1-9-2-5:13

Fire Station: Makakilo Fire Station & Kapolei Fire Station

**III. APPROVED USE:**

HECO & Verizon Hawaii Inc. joint utility pole line, Palehua, Ewa, Hawaii

**IV. POTENTIAL IGNITION SOURCES OF ACCIDENTAL FIRES  
DURING CONSTRUCTION:**

Potential ignition sources during construction and maintenance of the fiber optic system include exposure from vehicle/equipment exhaust and fuel systems; use of electrical equipment; smoking in unauthorized areas; and parking vehicles/equipment in tall grass or heavy vegetation.

**V. AVAILABLE FIRE-FIGHTING RESOURCES:**

- A. During field inspection for the project all vehicles will be equipped with fire extinguishers.
- B. During work in the area all vehicles/equipment will be equipped with fire extinguishers.
- C. During the any construction period crews of two (2) to ten (10) workers will be on site during working hours and can be used to fight fires.
- D. Each construction crew shall have one to three fire flappers and two shovels on hand at all times.

**VI. ACCESSIBILITY FOR FIRE EMERGENCY RESPONSE:**

The project site affects a 2,400 long area that is adjacent to an existing roadway. Entry to the each of the 15 pole sites will be by footpath, vehicle access is not available.

**EXHIBIT 6**

## **VII. FIRE CONTINGENCY PLAN-APPLICABLE TO CONSTRUCTION AND MAINTENANCE ACTIVITIES:**

### **A. Prevention:**

The items listed below will help to reduce fire hazards.

1. Smoking shall be prohibited from within 50 feet of combustible or flammable materials.
2. Smoking shall only be allowed in designated areas specifically identified for this purpose. Any designated smoking area will be devoid of vegetation.
3. Smokers will provide appropriate containers for the disposition of cigarette butts. Smokers will be reminded to dispose of their cigarette butts in an appropriate manner.
4. No burning will be allowed.
5. All fuels, solvents and lubricants will be stored at least 50 feet away from any vegetation, dead or growing.
6. One or more persons will be designated as a "Fire Watch" person. These people will need to be trained in grass/forest fire fighting techniques.
7. Vehicle parking will not be allowed on dead or growing vegetated areas adjacent to the project area.
8. Telephone (landline, mobile, or cellular) will be available on-site to call for emergencies.

### **B. Presuppression:**

The equipment listed below will be kept on-site during construction operations:

1. Fire extinguishers-placed in all vehicles/heavy equipment.
2. Telephone (landline, mobile, or cellular) will be available on-site to call for emergencies.
3. Protective fire-fighting gear for construction workers to include safety glasses, hard hats and gloves.
4. Three fire flappers and two shovels will be available on site for each construction crew.

### **C. Suppression:**

In case of a fire emergency the following steps will be taken:

1. The construction crew will immediately notify the Makakilo Fire Station and the Kapolei Fire Station by calling 911 by using a mobile or cellular telephone.
2. A member of the construction crew will station himself at nearest entrance to the project area on nearest County roadway, Umena Street in Makakilo Subdivision, and will direct emergency crews to the fire site.
3. While waiting for the fire department to arrive, members of the construction crew will immediately begin fire-fighting procedures.

## **VIII. PROTECTION OF FLORA/FAUNA & CULTURAL RESOURCES:**

### **A. Presuppression:**

1. Prior to the start of work in the area Verizon Hawaii Inc. will establish a plan to provide priority fire protection to any previously identified flora/fauna and cultural resources and will also designate a "Fire Watch" person within the construction crew to implement the plan in case of a fire incident.



B. Post Event:

1. Should a fire incident occur because of activities associated with the proposed project, Verizon Hawaii Inc. will work with Campbell Estate and State of Hawaii agencies in restoration efforts.

APPROVED:

Randall W. Kennedy  
Department of Forestry and Wildlife Division

Wayne E. Calhoun  
Verizon Hawaii Inc.

May 5, 2004  
Date

10/25/04  
Date

VERIZON HAWAII INC.	
Network Eng'g & Plan	
Checked	<u>OK</u>
Approved	<u>[Signature]</u>